

Town of Otsego Zoning Board of Appeals
Minutes (Unapproved) – October 23, 2018

REGULAR MEETING

The monthly Town of Otsego Zoning Board of Appeals (ZBA) meeting was held on this date at the Town Office Building in Fly Creek, NY. (There was no meeting in September; tonight's meeting was postponed a week due to scheduling conflicts). Chairman Greg Crowell called the meeting to order at 7:02 PM and led the Pledge of Allegiance.

Roll call was taken by Secretary Bill Deane. Board members present were Crowell, John Tedesco (Vice-Chairman), and John Dewey. With Christopher Voulo, Dean Robinson, and second alternate member Bill Michaels absent, first alternate member Tony Scalici joined the meeting table.

Chairman Crowell asked if anyone had a potential conflict with tonight's applicants. No one reported any conflict.

The Board reviewed the minutes of August 21, 2018, e-mailed to the members. Tedesco moved to approve the minutes as written. Dewey seconded the motion and it was approved, 4-0.

The only correspondence received since the last meeting was the Town's September 12 *Land Use Law* amendments, copies of which were distributed to the members.

The Board moved on to applications.

18.03 – Lisa Roberts – Area variance, addition of deck to existing house in RA2 district – 101 Cemetery Road (#113.00-1-27.00)

Secretary Bill Deane read aloud from the minutes of July 17 relevant to the Roberts application. Lisa and Tracy Roberts were present, submitting a formal application and drawings, as requested in July. They gave permission for members to visit the property.

The Board examined the documents. Being that roads border two sides of the property, there was question as to whether the variance sought would be for a side- or rear-yard setback; the side requires a 30-foot setback, whereas the rear requires 35 feet. Lisa Roberts designated the property line in question as a side-yard boundary, and said that the deck's closest point to this line is ten feet (with no steps on that side). Therefore, she needs a 20-foot variance on the west side.

John Tedesco moved to deem the application complete and schedule a public hearing for November 20. John Dewey seconded the motion and it was approved, 4-0.

18.07 – Lisa Roberts – Area variance, addition of deck with hot-tub to existing house in RA2 district – 101 Cemetery Road (#113.00-1-27.00)

Lisa and Tracy Roberts were present. In addition to the already-built deck in application #18.03, they want to build a second deck with a hot-tub. According to Chairman Crowell, this should be treated as a separate application, and the Roberts sisters submitted one, along with drawings. They gave permission for members to visit the property.

According to Lisa Roberts, the deck would be just two feet from Nancy Chandler's property line on the north side (requiring a 28-foot side-yard variance), and about ten feet from the side of Allison Road on the rear (west) side. Zoning Enforcement Officer Ed Hobbie said that the setback is measured from the center of the road; therefore, she would need about a 15½-foot variance to meet the 35-foot rear-yard setback. Roberts asked for 20 feet to be sure. John Dewey asked Roberts to provide a survey map locating the footprint of the proposed deck in relation to the property line.

Dewey moved to deem the application complete, contingent on the aforementioned map to be provided to Zoning Enforcement Officer Hobbie by November 6, and to schedule a public hearing for November 20. Chairman Crowell seconded the motion and it was approved, 4-0.

18.05 – Rob Bohm (Jon McManus) – Area variance, addition to existing motel in GB2 district – 6156 State Highway 28 (#114.00-1-1.00)

Applicant Rob Bohm was present, along with representative Jon McManus. McManus said he did not have the representative form with him, but would bring it to the next meeting. He submitted an application, drawings, and photos.

Bohm wants to build a 25x30', two-story addition to his existing motel. The addition would be used for a rec room, kitchen facilities, and possibly another unit, and would be 5.4 feet from the southern property boundary, thus requiring a 4.6-foot variance.

McManus asked if the public hearing could be waived, since Bohm also owns the adjoining parcel which is affected by the requested variance. Tony Scalici noted that, in certain situations like that, municipalities consider the adjoining properties as a single lot. Chairman Crowell said there was no precedent for waiving a public hearing, unless one had been already held by the Planning Board.

Crowell moved to deem the application complete and schedule a public hearing for November 20. Scalici seconded the motion and it was approved, 4-0.

18.06 – Jonathan Svahn (Jon McManus) – Area variance, addition to existing residence in RA1 district – 6765 State Highway 80 (#69.60-1-14.00)

Jon McManus submitted a form, giving him permission to represent applicant Jonathan Svahn. He also submitted an application and drawings.

Svahn wants to build an addition to an existing residence, more than 100 feet but less than 500 feet from Otsego Lake (thus requiring site plan review after ZBA action). The addition would measure approximately 10x28' and be on the side of the house opposite the lake. McManus said that roof overhangs would add up to one foot on each side of the addition, but there would be no stairs. Accounting for the overhangs, he calculated the requested variances as 25.3 feet on the north side, 15.4 on the south side, and 27.3 feet on the rear (west).

John Dewey moved to deem the application complete and schedule a public hearing for November 20. John Tedesco seconded the motion and it was approved, 4-0.

OTHER BUSINESS

Jon McManus gave the Board a "heads-up" on an upcoming ZBA application for Scott Curtis. McManus also asked the Board about the Joseph Stagliano application they approved in August: Stagliano wants to dig out the bank within 100 feet of the Lake, and he wondered whether he would need ZBA intervention for that. Chairman Crowell said that, since there was no structure involved, he would not need a ZBA variance.

Ed Hobbie distributed copies of his Zoning Enforcement Officer report, and discussed some cases listed on it.

With no further business, at 8:24 Chairman Crowell adjourned the meeting.

Respectfully submitted,
Bill Deane, Secretary